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SUBJECT: MIXED REACTIONS TO PROPOSED CONSTITUTIONAL CHANGES

REF: A) ANTANANARIVO 252 B) ANTANANARIVO 232

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¶1. (U) SUMMARY: With only eight days to go, Madagascar's upcoming constitutional referendum has failed to garner the same amount of enthusiasm seen in the recent presidential election. The average citizen has little understanding of the proposed amendments and public reactions have been mixed with a poorly-organized showing by opposition groups. Government of Madagascar (GOM) officials continue to insist the "benign" changes are intended to help the President run the country more efficiently. With President Ravalomanana aiming for an 80 percent approval rate, the GOM's aggressive efforts to encourage voter participation have raised some controversy. Still, the referendum is widely expected to pass. END SUMMARY.

CAMPAIGN UNDERWAY
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¶2. (U) On March 20 the GOM kicked off a 15-day campaign for the upcoming referendum with a lackluster event at one of the President's MAGRO facilities in Antananarivo. The referendum has failed to garner the same amount of enthusiasm - whether for or against - seen in the recent presidential election. In a positive departure from the past, the GOM's public education efforts started immediately after the proposed changes were published (REF A) with programs on national and private radio and television. Local NGOs have also been conducting civic education programs on the referendum at the regional and local levels. Groups officially registered as "for" or "against" the referendum are guaranteed 20 minutes of free coverage on national public radio and television per day to publicize their platforms.

THE GOM CLARIFIES ITS OBJECTIVES
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¶3. (SBU) In response to public criticism of the proposed amendments, presidential political advisor Moxe Ramandimbilahatra privately gave Econ/Pol Chief a rather academic clarification of the government's intentions. Contrary to popular assumption, he explained the changes are not directly linked to the recently launched Madagascar Action Plan (MAP) for development; a government cannot change an entire body of laws just to support a particular president's program. Rather, the changes will make it possible for the President to run the country more efficiently. However, he unintentionally made a more compelling argument that the changes are harmless, rather than necessary.

14. (SBU) In response to widespread criticism that the proposed amendments will increase the President's power, Ramandimbilahatra flatly disagreed. For example, he explained that giving the President the power to appoint Supreme Court magistrates is less about decreasing the independence of the judiciary and more about breaking the "justice mafia" controlled by several influential families; he guaranteed the President will continue to be checked by the High Court of Justice and other bodies. Ramandimbilahatra also said allowing the ratification of the Rome Statute is the President's idea, as, "it's about time that we comply with trends in international law."

MIXED BUT UNINSPIRING REACTIONS

15. (U) Public reactions voiced in radio call-in programs and newspapers have been mixed. While some support the changes as a mark of progress, others question whether they will have any impact on the MAP or their daily lives. The silent majority seems to be indifferent due to lack of understanding over the implications of the changes. Many people who voted for President Ravalomanana last December 3 indicate they will "automatically" back up that vote with a vote in favor of the referendum on April 4.

16. (U) The opposition's response has been weak and uncoordinated due to competition among the groups and insufficient funds. The traditional line-up of opposition groups established a "NO" committee comprised of 11 parties campaigning against the referendum, including Leader-Fanilo lead by former presidential candidate Herizo Razafimahaleo, the AREMA faction supporting the exiled Pierrot Rajaonarivelo, the newly-formed PSDUM party lead by former presidential candidate Jean Lahiniriko, and the CRN and UNDD parties lead by former President Albert Zafy. Former presidential candidate Roland Ratsiraka and his TTS party are also independently campaigning against the referendum. Their criticism centers around the strengthening role of the President, lack of debate over the new

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amendments, and the abolition of the provinces as a "backslide" in Madagascar's development. Other groups, such as the Confederation of Workers' Unions, are also calling on people to protest an amendment that only guarantees the right to strike as long as they "do not prevent the continuation of public services or security needs fundamental to the nation."

17. (U) The members comprising the traditionally outspoken FFKM, the powerful council of Christian Churches which normally speaks with one voice on major political issues, have had split reactions to the referendum. Anglican churches have remained largely silent. With approval from the Vatican's representative in Madagascar, Catholic churches have criticized the hasty organization of the referendum, while the church-affiliated association "Justice and Peace" has voiced concern over the removal of separation of church and state and the abolition of autonomous provinces. The Lutherans have united with the Protestants of the sub-group FJKM in urging people to participate in the vote, but not supporting "for" or "against."

PRESSURE FOR PARTICIPATION

18. (SBU) In order to be adopted, the referendum must be approved by more than 50 percent of those who show up at the polls on April 4. With President Ravalomanana hoping for an 80 percent approval rate, the GOM's efforts to encourage voter participation have raised some controversy. Despite a stipulation in the electoral code forbidding civil servants from campaigning for an "option or candidate," Ravalomanana publicly called on civil servants to mobilize to help the referendum pass. The Prime Minister softened this position days later by explaining that while civil servants should not actively campaign, it is their duty to explain what the changes are about. This overstepping of boundaries seems to extend to the local level. Embassy staff heard some "fokontany" (neighborhood) chiefs threatening to penalize residents who do not attend locally-organized referendum information sessions or the vote itself on April 4.

COMMENT

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19. (SBU) While President Ravalomanana's proposals seem well-intentioned, Post is concerned the amendments to the 1992 Constitution, whose ultimate impact is still unclear, could be manipulated by less well-intentioned leaders in the future. The GOM's argument that these changes will make it more efficient are not entirely compelling; however this will only become clear as the GOM moves to implement them. EU officials privately share many of our concerns. With very short lead time, they fear few Malagasy understand what seem to be substantial changes and are not entirely convinced of the GOM's justification. However, they too will publicly remain quiet in this internal Malagasy affair. They pragmatically look forward to "getting it over with" so the ministers can get back to doing their jobs. END COMMENT.

PATRICK